

SANDY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TICOR TITLE INSURANCE CO.,

Plaintiff,

-v-

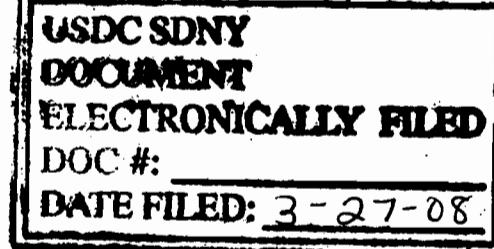
EMPIRE LOGGING AND TIMBER, LLC, and
ROBERT E. BASCHMANN, JR.,

Defendants.

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x :

No. 08 Civ. 1336 (LBS)

DEFAULT JUDGMENT

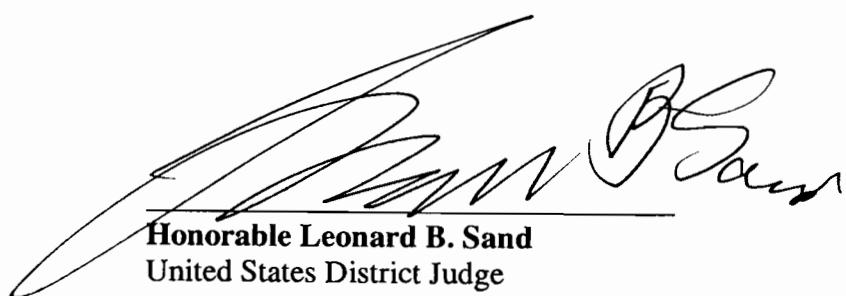


This action having been commenced on February 11, 2008 with the filing of the summons and complaint, and a copy of the summons and complaint having been served and service having been attempted on the Defendants on (i) February 11, 2008 via Federal Express upon Robert E. Baschmann, Jr. at Empire Logging and Timber, LLC, 10375 Abbott Road, Boston, New York 14025, (ii) February 11, 2008 via Federal Express upon Empire Logging and Timber, LLC at 10375 Abbott Road, Boston, New York, 14025, (iii) February 12, 2008 via electronic mail upon Robert E. Baschmann, Jr. at rbaschmannjr@starband.net, (iv) February 14, 2008 via Federal Express upon Robert E. Baschmann, Jr. at the Key Bridge Marriott, 1401 Lee Highway, Arlington, Virginia 22209, and (v) February 25, 2008 by personal service upon the Corporation Service Company, 1821 Logan Avenue, Cheyenne, Wyoming 82001, as authorized agent for Empire Logging, and proof of such service having been filed on February 15 and 26, 2008 and March 3, 2008, and an amended complaint having been served on the Defendants on (i) March 3, 2008 via electronic mail upon Robert E. Baschmann, Jr. at rbaschmannjr@starband.net, and (ii) March 4, 2008 by personal service upon the Corporation Service Company, 1821 Logan

Avenue, Cheyenne, Wyoming 82001, as authorized agent for Empire Logging, and proof of service having been filed on March 19, 2008, and the Defendants not having answered the complaint or amended complaint, and the time for answering the complaint and amended complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the Plaintiff has judgment against the Defendants in the amount of \$744,112.70 (USD).

Dated: March 27, 2008
New York, New York


Honorable Leonard B. Sand
United States District Judge

This document was entered on the docket
on _____.



United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date:

In Re:

-v-

Case #: ()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

J. Michael McMahon, Clerk of Court

by: _____

, Deputy Clerk

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

-v-

NOTICE OF APPEAL

civ.

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X

Notice is hereby given that _____
(party)
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the _____ day of _____, _____.
(day) (month) (year)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL

-V-

civ.

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X

Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully
(party)
requests leave to file the within notice of appeal out of time. _____
(party)
desires to appeal the judgment in this action entered on _____ but failed to file a
(day)
notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____ - _____
(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

FORM 2

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

-v-

NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME

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X

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 3

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

AFFIRMATION OF SERVICE

-V-

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X

I, _____, declare under penalty of perjury that I have served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)